

**A Report of the Conomo Point Planning Committee
To the Board of Selectmen, Town of Essex**

Respectfully Submitted March 14, 2011

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Introduction

The Conomo Point Planning Committee (the Committee) was formed by Town Meeting in 1993 to make recommendations to the Town for use of the Property known as Conomo Point. There have been several reports and publications as well as a great deal of information provided to the Town by the Committee throughout this period. The current composition of the Committee began meeting regularly in 2006 in order to analyze and make recommendations to the Town as to how it might proceed given the critical milestone of the expiration of the leases at Conomo Point was approaching on December 31, 2011.

The overriding need, as expressed by the town residents in numerous public meetings since the inception of the Conomo Point Planning Committee, has been to provide the residents of Essex increased public access and use of Conomo Point and all its amenities. At the same time, the Town must comply with a court ordered Final Judgment to limit the wastewater flow from Conomo Point.

How both of these requirements are met within the time limit of the expiration of the leases at Conomo Point, December 31, 2011 has been the central focus of the Committee since the current composition began meeting regularly in 2006.

To this end, the Committee recommended to the Board of Selectmen to hire the Horsley Whitten Group, Inc. to determine the highest and best use for the properties south of Robbins Island Road and to produce a complete sub-division plan. The Board of Selectmen, upon Town approval subsequently engaged the services of Horsley Whitten Group who provided the Town their analysis a complete sub-division plan in November 2009 and is available for review at http://www.essexma.org/Pages/EssexMA_Selectmen/Conomo%20Point%20Reference%20Materials. Further the Committee recommended the Town engage the services of Taintor and Associates to facilitate a planning process whereby the entire Town could offer input as to the potential use for the land north of Robbins Island Road. The Board of Selectmen sought and received approval from the Town to engage the services of Taintor and Associates. They met with residents of Essex over the past year and a half. Their report was completed in November, 2010 and can be found for review at http://www.essexma.org/Pages/EssexMA_Selectmen/Conomo%20Point%20Reference%20Materials. The Committee has worked closely with these consultants throughout both projects. The respective reports bring key issues to light that will be valuable planning tools as the Town moves forward.

Because of the expiration of the leases at Conomo Point on December 31, 2011, the Town must act now to decide at this year's Annual Town Meeting on how to address these expiring leases before the planning process for greater public access can be completed and the Court ordered Consent Decree are resolved.

While the Committee has not had a unanimous consensus on all issues regarding the future planning of Conomo Point, it has been the general consensus of the Committee after countless hours of committee meetings since we began meeting in 2006 to make the following recommendations to the Board of Selectmen.

A. Recommendation - South of Robbins Island Road

The Conomo Point Planning Committee recommends to the Board of Selectmen for Conomo Point properties south of Robbins Island Road that the Town:

- Proceed to offer interim, short term Bridge Leases to current lease holders at Conomo Point, on a first refusal basis, to allow for continued planning of public access before ultimately completing the process which results in the sale of the properties south of Robbins Island Road offering a right of first refusal to current lease holders at market rates.

B. Recommendations - North of Robbins Island Road

The Conomo Point Planning Committee recommends to the Board of Selectmen for Conomo Point properties north of Robbins Island Road that the Town:

- Retain ownership of Conomo Point north of Robbins Island Road and provide interim short term Bridge leases to allow the Town the flexibility for future planning along with continued and increased revenue from rent and property taxes.
- Make greater public access the goal of any planning at Conomo Point, phased in through an incremental approach beginning with a focus on currently unoccupied land.
- Engage design, engineering, and financial professionals as necessary and as funding is available to bring the needed expertise to this critical planning process.
- Establish important milestones and accountabilities in order for the Town to have a clear expectation of planned outcomes and that consistency can be maintained as the composition of Town leadership changes.

C. Recommendations - Planning Process

The Conomo Point Planning Committee further recommends to the Board of Selectmen that:

- The Town continue the planning process through an incremental approach to provide greater public access/use of Conomo Point with the initial focus on currently unoccupied land and to further evaluate the financial opportunities and requirements as they may unfold to provide greater public access/use for its residents at Conomo Point as permissible by the MA Department of Environmental Protection.

Further the Committee believes:

- That an incremental approach to improving access and use at the Conomo Point should focus exclusively on unoccupied land as a first step.
- That the Town should not be rushed to develop a “master plan” for Northern Conomo Point. Time is necessary in order for the Town to clearly define for themselves the kind of public access they wish to implement as well as to plan for the desired levels of amenities at Conomo Point for the Town to use and enjoy.
- That the financial opportunities for and consequences of improving public access will play a significant role in an incremental implementation. Simply put, it would behoove the Town to invest adequately into improving public access, so that worthwhile and appropriate improvements are made. Further, the Committee believes it would also be foolhardy if the Town were to overspend on amenities that were little used and unnecessarily expensive. To this end the Committee believes that an incremental plan be implemented that is adjusted as the work progresses seems to makes the most sense for the Town.

Financial Implications

The Committee has spent countless hours over the last several years discussing the fiscal implications of no further lease or property tax income from Conomo Point after December 31, 2011. While there are varying opinions on the assumptions used to model multiple outcomes, there is complete agreement among the CPPC members that the current course is going to involve substantial cost and financial challenges for the Town. Approximately \$110,000 of lease revenue will go away and can only be replaced through a Proposition 2½ property tax override. Approximately \$450,000 in property tax revenue will be absorbed by remaining taxpayers resulting in an average increase of \$400 in property taxes to each Essex household. This does not speak to the potential legal, demolition and increased overhead costs for public safety and insurance once properties are vacated and under control of the Town. (See Draft Fin Com memo Exhibit I)

As mentioned previously, the Committee recommends the Board of Selectmen continue with the process of selling the properties South of Robbins Island at a market rate. A detailed discussion of that process and the associated potential revenues is beyond the scope of this discussion. It has also been stated previously in this paper that a phased approach should be employed when determining the future of Northern Conomo Point. A strategy of this nature will have positive fiscal implications for the Town as bridge leases will be negotiated at market rates resulting in increased revenue. There are several factors that must be considered and balanced when planning for future land use at Northern Conomo Point, not the least of which is DEP

compliance and a cap of 10,000 gallons of sewage flow from any one property held in contiguous ownership. As a plan is developed for Northern Conomo Point, revenue and cost estimates should be calculated by qualified professionals in order that net revenue generated by North and South will allow the Town to enjoy the use of the property, fund necessary improvements at the Point, and meet the numerous other fiscal challenges the Town faces.

The Planning Process – Further Discussion and Recommendations

The area of most rigorous debate has been over the use of the land North of Robbins Island Road. While the Committee does not offer an inclusive plan and final recommendation for use of the property north of Robbins Island Road, the Committee believes the Town would best be served by the continuation of the planning process in an incremental manner, to review and resolve the financial, legal, environmental, zoning, lease holder and waterfront access considerations that have surfaced in numerous public meetings in the attempt to provide greater public access/use for the residents of Essex

In addition, the Committee believes

- That greater public access will require capital improvement expenditures. The only reasonable way to afford these costs is by increasing revenues from the Point with renewed leases at market rates or sales of certain properties explored in more detail.
- That public access at Conomo Point will not necessarily be enhanced by the removal of dwellings at Conomo Point and should be carefully reviewed in incremental steps in the planning process.

The Town will immediately be saddled with financial burdens that will preclude the investment of any money into Conomo Point, with the exception of necessary public safety steps. Removing dwellings and bearing the costs associated are only the first steps at attaining any sort of recreational area. Given the current economic climate, it will be difficult to come up with additional funds to develop public access, parking and other desired amenities for the Town.

The Committee believes that the first projects undertaken should focus on improvements of the existing waterfront, currently available to all townspeople. This would leave all current dwellings intact and would maximize the lease and tax revenues to the Town from the Point. The Committee believes this is critical not only in these economically difficult times, but also to generate the maximum revenue to help the Town meet the fiscal challenges it faces.

Further, the Committee believes that as plans are developed and implemented over the coming years, the opportunities for available parcels may change (lease turnover). In addition, at the end of any new lease periods, the Town would again have the opportunity to decide if preserving the revenue stream is worth leaving dwellings in

place or if there were certain parcels that would significantly enhance the public access improvements already in place. However, these decisions have significant ramifications and cannot be responsibly made until public access and the use of improved facilities is tested.

While having a “master plan” in place may sound appealing to bring a very complex saga to finality, there are many reasons to take time to look at various options. The Town cannot yet predict what amenities and activities will attract people to the Point; this needs to be studied and to evolve as plans and work progresses. Also, the financial picture may change over time, such that Town finances, and the wishes of the townspeople expressed through Town Meeting, may either allow increases or require decreases of funding to the public access improvement effort. The use of the Point by the Town may, in the future, become either more important or less significant to townspeople. We cannot predict that until we start down the road of improving public access and testing the waters to see what attracts people to the Point.

The following discussions about public access and incremental improvement are difficult to separate, as improved public access needs to happen incrementally if for no other reason than fiscal constraints. Similarly, the over-arching need voiced throughout public forums in recent years has been that any improvements, incremental or otherwise, should be about better public access at the Point. Therefore, the topics are intertwined and many of the discussions provided on each are similar and related.

For the purposes of discussions, please note that the DEP compliance and approval for any changes to the Conomo Point Plan as submitted as part of the Consent Decree in 2001 is assumed. This compliance will dictate the maximum sewage flow that will be allowed from property that will remain Town owned.

Improved Public Access

The increased and recent focus on the future disposition of Conomo Point, as necessitated by the pending termination of leases at the end of 2011, has brought forth many viewpoints and ideas about the future use of the land, particularly at the northern section of Conomo Point (the Point). The best documentation of these thoughts is supplied in Taintor’s report to the Board of Selectmen and in the appendices of that report, which summarize the public input and comments made on this issue.

There are a myriad of suggestions of what public access could provide for town residents, but little input on the physical manifestation of these ideas. However, let us continue with the discussion of improving public access and the most appropriate ways to achieve these goals.

The Town currently has access to nearly all the Point waterfront as little of it is actually leased, it logically follows that public access should be improved first in the areas where the Town has immediate access. This focus would preclude disruption to

or the removal of dwellings. The Committee recommends this focus as a first step in planning as concerns Northern Conomo Point.

Moreover, in order to maximize revenues from leases and taxes from the Point, it is best, to explore improved public access on the portions of the Point that are not leased, specifically the water's edge, virtually all around the Point. As further discussed below in the paragraphs on "Incremental Implementation", the Town would be well-advised to hire a project manager or other planning entity that would work with the Town and perhaps other designers to develop a range of options for improved public access. These options could be priced and offered to the Town as alternatives. Also, as further discussed below, a schedule and general plan for public access improvements can be developed at this point, with a series of decisions to be made by the Town as the work moves forward.

Commercial Clammers

One final issue regarding public access that almost goes without saying, but which should be emphasized and kept in the forefront as public access design decisions are made, is the access to and use of CP by the commercial clammers. While the public access discussed so far here addressed primarily recreational pursuits, the clammers earn their livelihood by working from the Point, during the summer season as well as the off-season. Therefore, it will be imperative to retain and, hopefully, improve access and parking for the people who earn a portion of their livelihood at Northern Conomo Point.

Programs and Events

This discussion of public access has, thus far, focused strictly on the improvement of the physical surroundings and facilities. These improvements will provide points of destination to attract residents to this area. The Town should strive to develop a program of events and activities at Conomo Point that draws residents as well as non-residents. A wide variety of programs both during and in the off-season should allow everyone to have the maximum benefit from this area. Suggestions are offered in the Taintor report.

Incremental Implementation

It is the prevailing opinion of the Committee that the Town should not be rushed to develop a "master plan" for Northern Conomo Point. Time is necessary in order that the Town can define public access as well as the desired level. This requires an incremental approach. Without better knowledge of how public facilities will be used, the amenities that will be popular and the extent that townspeople will avail themselves of new facilities, an outside planner, no matter how talented and gifted, could not produce a viable plan.

Effects of Turnover of Leases

The strategies to improve public access may depend to a significant extent on the opportunities that open up at the Point as turnover and attrition take place among the residents. It is possible that not all the current leaseholders will be able to purchase or continue to lease the properties at market rates should the Town offer those options. As these situations emerge, the Town could make the decision to retain the property. One cannot argue that taking properties back through this process of attrition offers the best potential to avoid legal proceedings.

It is important to note that there are numerous accessory buildings to the dwellings at the Point. A planning opportunity may be to retain the space occupied by these structures in order to maximize the space made available for public access.

Suggested Next Steps in the Planning Process

Much of the discussion pertaining to Northern Conomo Point has focused on what cannot be accomplished; septic limitations, Town coffers that will be drained from legal battles, and a host of unaffordable options. The Committee believes firmly that the Town has a huge opportunity to realize positive outcomes at the Point as the Town moves forward with in the planning process. The following outlines the steps of what can be accomplished in the planning process for the Point.

First, the Committee believes that the Town should consider enlisting the services of a planning and design entity (a single firm, joint venture or a project manager who can coordinate several firms) to work with the Town in not only the immediate future as we start to plan out future steps, but also with us through the whole process, over the next several years, as we plan and construct public access improvements. This entity needs to be knowledgeable on all aspects of the work required; landscape planning, historic preservation, environmental issues, engineering, marine design, permitting and construction, to name just a few of the skills necessary for good design and the completion of well built, easily maintainable and durable public facilities. The Town has realized value for the services provided thus far from Horsely Whitten and Taintor and Associates. Although these services come at a considerable price, the value cannot be overstated if the end products are well-planned facilities that maximize all potential uses of the Point. It should be noted that a portion of revenue from sales or leasing at a market rate could be used to fund these efforts.

Second, the Committee believes that the Town leaders need to identify an implementation schedule with clear milestones and accountabilities defined. It goes without saying the Town Meeting can modify or change this plan as it chooses. However, providing a sitting Board of Selectmen/ Conomo Point Commissioners with a current plan is essential. Required funds to accomplish given projects should also be accurately estimated and appropriated when possible. Next, a general scheme of improvements needs to be outlined with the focus on different areas of the Point that will be improved through the process (e.g., the Narrows, Front Beach, Clammers Beach and any other areas that are identified for improvement). The most important

aspect of this “contract” will be to establish a schedule for planning milestones, design decisions and construction work. This can be done in the near future and set in place as a guideline for all future work on the Point. While the actual public projects cannot yet be determined, nor the amount of money appropriated to fund these efforts, we can at least establish a timetable for these actions that will be closely linked to bridge and/or new leases at the Point.

Finally, the Committee believes that the planning entity and the Town will need a mechanism for ongoing evaluation of access improvements. This will allow determination of the success of any work that is done and determine the extent to which certain aspects should be modified, etc. The efforts can and should be mapped into the schedule of milestones for work at the Point.

An incremental approach to implementation of public access improvements will allow the Town the most flexibility to make wise and thoughtful decisions and to maximize the revenue from the Point. It will be important that, if any dwellings are ultimately removed from the point, that the justifications for these actions be sound and solid and based on an established pattern of use of the Point facilities that strongly indicates that such actions are warranted and justified and in the best interests of the Town.

An incremental approach to improving public access will benefit the Town first by improved public access and second by preserving, to the extent possible, the revenue from the point. After the time of the extended leases, during which scheduled public access improvements will have been made and also evaluated to determine their effectiveness and popularity, then the Town can reconsider either the extensions of the leases or the need to take more town land to provide public access. But until an initial effort is made to explore public access on land currently available, it would be shortsighted and, ultimately, expensive, due to wrong decisions or legal entanglements, to remove dwellings until a time when and if such decisions can be irrefutably demonstrated to be for the greatest good.

Parking

Parking has been discussed as a major component to existing and proposed uses at Northern Conomo Point. How parking is addressed in the future will be critical to the success of any attempts toward improved public access and other components of use beyond the termination of the leases at the end of 2011. Conomo Point is a good distance from many town residences, making it a driving destination, or perhaps a biking destination. For the majority of people who may use the Point in the future, a car will be the means of access. These vehicles need to be stored somewhere while people enjoy the Point. This topic is further addressed below because, in itself, it is a complicated and critical component of the public access effort.

Currently there are 3 main parking areas that are available to residents of the town not leasing property at Conomo Point. These areas are: Clammers Beach, The Narrows and the Cross Island Parking Lot. There is also informal parking along

various streets. Leaseholders generally park within the confines or within close proximity to their leased land.

The Committee believes there are many opportunities for improving parking and in turn public access at the Point. If parking at the Narrows is eliminated, adequate space should be created in close proximity to the float and beach areas especially when considering the mobility impaired. Drop off areas and winter parking for clammers should also be factored. Beach Circle should have further delineation between picnic and beach as well as boat launching areas. There may be a potential to utilize some or part of the Cross Island Lot. Outbuilding elimination may provide additional parking as well as town own land in Southern Conomo Point that could perhaps be used for remote parking.

Accessible parking areas and pathways must be constructed of pavement or other accessible material as identified by the Massachusetts Architectural Access Board and Federal Americans with Disabilities Act (ADA) regulations. Parking and walkway standards are clearly defined on both the federal and state level. Regulations and guidelines for access to boat ramps and other recreational facilities have been updated at the end of 2010 and apply to certain upgrades and alterations of facilities.

Any new parking areas must adhere to DEP guidelines for stormwater management. Current regulations favor permeable surfaces, grass swales, and other low impact development (LID) techniques that promote groundwater recharge. Suggested materials include crushed stone, brick and concrete pavers, reinforced turf. The use of crushed shells for driveways has been used in many locations, however should be verified with MA DEP as an acceptable practice prior to planning as this practice has previously been prohibited. This may have changed recently.

The majority of Northern Conomo Point falls within the jurisdiction of the Wetland Protection Act and will require permitting through the Essex Conservation Commission for any alterations to the existing conditions. Alterations to docks, floats and beach areas as well as some parking areas will require permitting through Chapter 91 of the Massachusetts Public Waterfront Act, administered by DEP and potentially the US Army Corps of Engineers.

Note: For a more detailed discussion, please see memo from K.R. Drake, RLA, Member of the CPPC in Exhibit II.

Bridge Leases

The Committee understands that the Board of Selectmen is currently proposing short term bridge leases for Northern and Southern Conomo Point. The Committee supports this effort, as we believe this would allow for an interim period necessary for further planning and negotiations. As seems to be the consensus with all parties involved, bridge leases should be at a market rate that is understandable and easily calculated.

Conclusion

The key recommendations of the Committee for Conomo Point are:

- The Board of Selectmen should negotiate short term bridge leases for properties South of Robbins Island Road and continue the process that will ultimately result in a sale of these properties with a right of first refusal offered to current leaseholders at a market rate.
- The Town should retain as much property as possible at Northern Conomo Point and a phased approach should be developed for greater public access and continued leasing should the Town decide it is in its best interest.
- The Town should enter into short term bridge leases with current leaseholders North of Robbins Island Road allowing for a period of planning and increased revenue.
- Greater public access should be the goal of any planning at the Point phased in through an incremental approach beginning with a focus on currently unoccupied land.
- Design, engineering, and financial professionals should be engaged as necessary and as funding is available to bring the needed expertise to this critical planning process.
- Important milestones and accountabilities should be defined in order the Town has a clear expectation of planned outcomes and that consistency can be maintained as the composition of Town leadership changes.

The Committee will continue to serve the Town by working with the Selectmen as well as any and all interested parties to make sure that Town Meeting can be presented with options that do not result in adverse consequences. The complexity of this issue cannot be understated and there is no simple resolution or panacea that will result in all parties being satisfied. The Committee believes strongly that the next chapter for Conomo Point can have positive outcomes if the Town is made aware of the issues and presented with understandable options. The Committee has persevered over many years in order that December 31, 2011 does not result in catastrophic consequences for the Town. The Committee commends the Selectmen for recent efforts to address the next chapter for Conomo Point and we as a group will assist the Town in whatever way possible to make informed decisions as it moves forward.

Exhibit I

Draft Memo Received From Finance Committee 3/7/11

The current lease agreement between the Town of Essex and the tenants of leased land at Conomo Point is due to expire effective 12/31/2011. Based on the 1999 vote at Annual Town Meeting, the Town will discontinue leasing property at Conomo Point ("the Point") after the current leases expire. As a result, the Finance Committee projects that the Town will experience an annual loss of lease revenue totaling \$110,000, as well as the full absorption by taxpayers of the lost tax revenue, totaling \$550,000.

In addition to the lost revenue and shifting tax burden, there are other significant financial costs the Town may incur as a result of the lease expiration.

1. The legal costs related to lease expiration may be substantial. Currently, the Town has spent \$30,000 on a case to evict a tenant for failure to pay rent and real estate tax. While this case is not identical to the potential litigation related to lease expiration, there are similarities. With roughly 100 leased properties on the Point, this could be a considerable cost to the Town.
2. The Town may be required to monitor and insure the properties at the Point during litigation. To date, we have had difficulty finding an insurer to cover the structures at the Point. At this time, the best offer we have would be an annual premium of \$100,000 with a deductible of \$200,000.
3. The Town will likely need to provide security to monitor the Point, providing 24/7 coverage to secure the structures. While this security may be structured in a variety of ways, any of the options will likely present a six-figure annual cost to the Town.

The Town already runs a tight budget. The current budget scenario for FY2012 is creating the need for a Proposition 2 ½ Override. The lost lease revenue from Conomo Point is one of the factors contributing to the need for the override. The Finance Committee estimates that the cost to the average homeowner from the lost lease and tax revenue is roughly \$400 per year. Without revenue generated from Conomo Point, the Town would likely face drastic cuts to Town services and more frequent Proposition 2 ½ overrides. This would place a tremendous strain on residents and Town departments that are already stretched thin. Here is the question that the Town needs to answer: How much additional tax burden is each landowner willing to contribute to the litigation, insurance, and security costs associated with the discontinuation of the Conomo Point leases?

This question led the Finance Committee to support the concept of bridge leases which would enable the Town to continue to lease its land to the tenants at Conomo Point. It would also provide the Town with an interim solution while a longer term solution is developed. Ideally, these leases would be no longer than three years.

Exhibit II

Memorandum

To: Mark Lynch, Chair, Conomo Point Committee

From: Kimberly Drake, RLA

Date: February 3, 2011

Subject: Parking at Conomo Point

Parking has been discussed as a major component to existing and proposed uses at Northern Conomo Point. How parking is addressed in the future will be critical to the success of any attempts toward improved public access and other components of use beyond the termination of the leases at the end of 2011.

Existing Conditions

Currently there are 3 main parking areas that are available to residents of the town not leasing property at Conomo Point. Lessees generally park within the confines or within close proximity to their leased land.

- Clammer's Beach - Parking at Clammer's Beach near Robbins Island Road occurs in a mixture of semi formal spaces and on an ad hoc basis. To the north of the roadway is an area that provides the mixed uses of parking for cars, beach access, and access to a tidally accessible boat ramp. Uses have been segregated by strategic placement of picnic tables, boat racks and small boat storage, and by use patterns. Trailer and vehicle parking also occurs in a loosely defined parking area on the south side of the roadway. When these areas are full parking occurs parallel to the road in both directions.
- The Narrows - Parking at the Narrows near where the channel runs between Conomo Point and Cross Island is accommodated by diagonal street parking defined by concrete bumper stops. This parking provides access to the floats, Front Beach, and the adjacent seasonal boat launching ramp. The float area is utilized by swimmers, sun bathers, and as a dinghy dock area for access to the mooring field. Parking is additionally used as an area to view the river and sunsets and it has been observed that some visitors never leave their cars. When designated spaces are full, parking occurs parallel to the street, generally on the

seaward side. Immediately adjacent to the parking area is a flagpole and small garden area and a similar anchor and small garden area. Parking in this area provides a visual and physical barrier to the edge of the river and the seawall along the Narrows. Clammers utilize this area in the winter as parking as many clammers access the winter flats from this boat launch ramp as seasonally permitted.

- Cross Island Parking – A leased area along the south side of Conomo Point provides parking for the owners and guests of Cross Island. This formal parking area is well defined, but exclusively used for the lessees and their guests.
- Informal Parking – additional informal parking occurs parallel to the various roadways as needed by lessees, their visitors, and other Essex residents.

Future Parking Opportunities

Public access discussions have identified the availability of a suitable quantity of parking as a constraint to accessibility and the location of some existing parking as a both physical and psychological barrier to accessibility.

- Clammer’s Beach – Further distinction between parking areas and public bathing and picnic areas has been discussed. Additionally, further defining the zone between boat launching and bathing areas has been mentioned.
- The Narrows – If parking at the Narrows is eliminated, an alternate parking area would be desirable to provide access to the floats, the launch ramp and the beach area. Accessible spaces for the mobility impaired should be located within as short a distance as feasible and along suitable walkways at no greater than 5 percent slope and constructed of an accessible surface. Parking for winter clamming should be reasonably convenient to support our local industry. A dropoff area should be provided for unloading boating gear, beach gear, and pickup and drop off for families utilizing the area.
- Cross Island Parking – Depending upon the outcome of Town Meeting concerning the disposition of Northern Conomo Point the Cross Island parking area could additionally provide generally accessible parking for users of the floats and the beach area.
- ‘Found’ Parking spaces – It appears that areas of existing open space or currently occupied by outbuildings may provide small parking areas on a case by case basis along the roadways. Signage combined with low guard rails, bumper stops or other markers could identify these publically available areas providing distinction from any privately used lands. It appears that a fair number of parking areas may by ‘found’ this way.
- Remote Parking – There may be the potential to identify remote parking area(s) south of Robbins Island Road for visitors intending to spend an extended time at the point identified beyond a minimum number of hours. Remote parking would enable the town to limit parking at Northern Conomo Point to short term and handicap accessible parking, reducing

the vehicular barriers to access. A study would be required to identify areas south of Robbins Island Road that are unoccupied and suitable for development from both permitting and constructability standards.

Construction

Accessible parking areas and pathways must be constructed of pavement or other accessible material as identified by the Massachusetts Architectural Access Board Federal Americans with Disabilities Act (ADA) regulations. Parking and walkway standards are clearly defined on both the federal and state level. Regulations and guidelines for access to boat ramps and other recreational facilities have been updated at the end of 2010 and upgrades to facilities apply to certain upgrades and alterations.

Any new parking areas must adhere to DEP guidelines for stormwater management. Current regulations favor permeable surfaces, grass swales, and other low impact development (LID) techniques that promote groundwater recharge. Suggested materials include crushed stone, brick and concrete pavers, reinforced turf. The use of crushed shells for driveways has been used in many locations, however should be verified with MA DEP as an acceptable practice prior to planning as this practice has previously been prohibited. This may have changed recently.

The majority of Northern Conomo Point falls within the jurisdiction of the Wetland Protection Act and will require permitting through the Essex Conservation Commission for any alterations to the existing conditions. Alterations to docks, floats and beach areas as well as some parking areas will require permitting through Chapter 91 of the Massachusetts Public Waterfront Act, administered by DEP and potentially the US Army Corps of Engineers.